

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Carlos Tobar Cortes

v.

Case No. 23-cv-159-LM

FCI Berlin, Warden

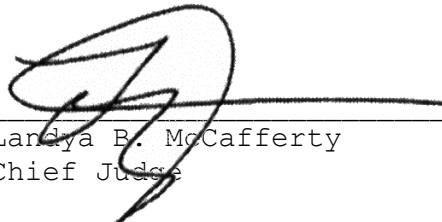
ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated April 7, 2023. For the reasons explained therein, the respondent's motion to dismiss (doc. no. 4) is denied as moot.

"[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal." Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quotation omitted); see United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The clerk is directed to enter judgment and close this case.

SO ORDERED.



Landya B. McCafferty
Chief Judge

Date: May 8, 2023

cc: Michael T. McCormack, Esq.